

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America)

v.)

Jerrod Ladale Dula)

Date of Previous Judgment: 6/17/08)

(Use Date of Last Amended Judgment if Applicable))

Case No: 5:03CR37-9

USM No: 17936-058

Mark Patrick Foster Jr.

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 87 months months **is reduced to** 69 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>35</u>	Amended Offense Level: <u>33</u>
Criminal History Category: <u>III</u>	Criminal History Category: <u>III</u>
Previous Guideline Range: <u>210</u> to <u>262</u> months	Amended Guideline Range: <u>168</u> to <u>210</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

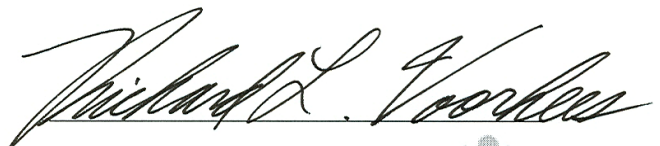
The defendant was originally sentenced to 210 months confinement on 1/12/06. On 6/17/08, pursuant to Rule 35, the sentence was reduced to 87 months confinement. It is further ordered that as a condition of supervised release the defendant shall submit to the local Residential Reentry Center for a period not to exceed 90 days, with work release, at the

Except as provided above, all provisions of the judgment dated 6/17/08 shall remain in effect.

IT IS SO ORDERED.

Order Date: November 12, 2008

Effective Date: November 12, 2008
(if different from order date)



Richard L. Voorhees
United States District Judge

